

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.O.C.P. No.901 of 2016
Date of Decision: 20.02.2017**

Baljit Kaur Mann

..... Petitioner

Versus

Sh. C. Roul, Principal Secretary to Govt. of Punjab,
Deptt. of School Education and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Punjab
for the respondents/contemnors.

JASWANT SINGH, J. (Oral)

The petitioner, physically disabled person, retired from the rank of Social Studies Mistress on 31.05.2011. She had filed CWP No.24171 of 2015 seeking extension of service from 58 years to 60 years along with all consequential benefits. The said petition was allowed vide order dated 18.11.2015 (**Annexure P-1**), in terms of the order dated 31.10.2015 (**Annexure P-2**) rendered by this Court in CWP No.23145 of 2015 titled as “**Paramjit Singh Vs. The State of Punjab and others**”, wherein identical issue has been decided at the first preliminary hearing of the petition to obviate wastage of time of the Court which would result if summons to the State were issued on notice of motion only to await response from the State on an issues which stands settled by final judicial precedent on a point which is no longer *res integra* and is covered by the decision of the Supreme Court in SLP No.10610 of 2013 decided on September 16, 2014 upholding the view of this Court. It was further directed to the respondents to calculate and pay the financial dues as though the petitioner had continued to serve from May 31, 2011 till May 31, 2013 on the assumption that her rights stand crystallized by the orders of the learned Single Judge passed one week prior to her retirement

and would thus apply retroactively to her case as the directions can be read in rem. It was also directed that the financial benefits so calculated be paid to the petitioner within two months from the date of receipt of a certified copy of this order failing which it will become payable with interest @ 12% till realization. Since the needful was not done, hence the present contempt petition.

At the time of hearing, reply by way of short affidavit dated 20.02.2017 of Smt. Indu Simak, District Education Officer (S.E.), Sangrur, Punjab has been filed, which is taken on record. Copy of the same has been supplied to learned opposite Counsel.

In the reply, it is submitted that the petitioner has been allowed to retire from service at the age of 60 years i.e. two years' extension in service has been granted w.e.f. 31.05.2011 to 31.05.2013 with consequential benefits, vide speaking order dated 29.04.2016 (**Annexure R-1**). It is also submitted that the consequential benefits have also been paid to the petitioner.

Learned Counsel for the respondents submits that the aforesaid directions passed by this Court have already been complied with.

In response, learned Counsel for the petitioner concedes that the present petition has become infructuous.

In view of the above, no further action is warranted.

Accordingly, the present contempt petition stands dismissed as infructuous.

February 20, 2017
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>